

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Shmuel Ben-Muvhar et al.

Application No.: 10/595,648

Confirmation No.: 2882

Filed: May 2, 2006

Art Unit: N/A

For: TREATMENT OF VASCULAR
BIFURCATIONS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:
(Check one of the boxes A-D)

- ☐ A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above identified national application
- ☒ B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
- ☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

☐ i. Counsel states that, upon information and belief, each item of information listed herein was (check one of boxes (a) or (b))

☐ (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(p) a check in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was

(check one of the boxes "a" and "b" below:)

☐ (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

- ☒ A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy/copies of the United States Patent on PTO/SB08 is/are not being submitted.
- ☐ B. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- ☐ C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

<<INSERT SERIAL NO. & FILING DATE>>

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

- ☐ 3. Cite Nos. _____ are not in the English language. In accordance with 1.98(c), Applicant states:
- ☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.
- ☐ The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).
- ☐ A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]
- ☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- ☐ A concise explanation of document(s) _____ can be found on the attached sheet.

- ☐ 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 in the preamble to the final rules; 1135 OG 13 at 20).
- ☐ 5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: April 13, 2007

Respectfully submitted,

By 

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Attorneys/Agents For Applicant

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/595,648-Conf. #2882
				Filing Date	May 2, 2006
				First Named Inventor	Shmuel Ben-Muvhar
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	06727/0204377-USO

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-5,607,444	03-04-1997	Lam	
	AB*	US-6,875,229	03-18-2004	Wilson et al.	
	AC*	US-2005/0228483	10-13-2005	Kaplan et al.	
	AD*	US-0225/0222672	10-06-2005	Shmulewitz	
	AE*	US-5,853,419	12-29-1998	Imran	
	AF*	US-2005/0049680	03-03-2005	Fischell et al.	
	AG*	US-2003/0083734	05-01-2003	Friedrich et al.	
	AH*	US-4,994,071	02-19-1991	MacGregor	
	AI*	US-6,761,734	01-22-2004	Suhr	
	AJ*	US-6,048,350	04-11-2000	Vrba	
	AK*	US-2002/0193873-A1	12-19-2002	Brucker et al.	
	AL*	US-6,471,672	10-29-2002	Brown et al.	
	AM*	US-6,881,216	10-24-2002	Di Caprio et al.	
	AN*	US-7,105,015	12-23-2004	Goshgarian	
	AO*	US-6,530,948	03-11-2003	Vrba	
	AP*	US-5,733,299	03-31-1998	Sheiban et al.	
	AQ*	US-5,226,889	07-13-1993	Sheiban et al.	
	AR*	US-6,875,229	03-18-2004	Wilson et al.	
	AS*	US-2005/0101968	05-12-2005	Dadourian	
	AT*	US-6,949,121-A1	09-27-2005	Laguna	
	AU*	US-6,210,429	04-03-2001	Vardi et al.	
	AV*	US-5,749,825	05-12-1998	Fischell et al.	
	AW*	US-6,368,355	04-09-2002	Uflacker	
	AX*	US-6,740,113-A1	05-25-2004	Vrba	
	AY*	US-6,168,621	01-02-2001	Vrba	
	AZ*	US-6,142,973	11-07-2000	Carleton et al.	
	AA1*	US-5,893,887	04-13-1999	Jayaraman	
	AB1*	US-5,505,698	04-09-1996	Booth et al.	
	AC1*	US-5,456,694	10-10-1995	Marin et al.	
	AD1*	US-5,868,777	02-09-1999	Lam	
	AE1*	US-6,129,738	10-10-2000	Lashinski et al.	
	AF1*	US-5,632,762	05-27-1997	Myler	
	AG1*	US-5,749,890	05-12-1998	Shaknovich	
	AH1*	US-6,053,941	04-25-2000	Lindenberg et al.	
	AI1*	US-6,458,151	10-01-2002	Saltiel	
	AJ1*	US-6,962,602-A1	11-08-2005	Vardi et al.	
	AK1*	US-5,716,393	02-10-1998	Lindenberg et al.	
	AL1*	US-2005/0177221-A1	08-11-2005	Mustapha	
	AM1*	US-6,293,964	09-25-2001	Yadav	
	AN1*	US-6,096,071	08-01-2000	Yadav	
	AO1*	US-2004/0254627-A1	12-16-2004	Thompson et al.	
	AP1*	US-2005/0154447-A1	07-14-2005	Goshgarian	
	AQ1*	US-6,258,116	07-10-2001	Hojeibane	
	AR1*	US-6,596,020-A1	07-22-2003	Vardi et al.	
	AS1*	US-6,544,219-A1	04-08-2003	Happ et al.	

Examiner Signature		Date Considered	
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
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			Filing Date	May 2, 2006	
			First Named Inventor	Shmuel Ben-Muvhar	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	2	of	2	Attorney Docket Number	06727/0204377-US0

	AT1*	US-6,599,316-A1	07-29-2003	Vardi et al.	
	AU1*	US-6,096,073	08-01-2000	Webster et al.	
	AV1*	US-6,261,273	07-17-2001	Ruiz	
	AW1*	US-6,221,098	04-24-2001	Wilson et al.	
	AX1*	US-6,482,211	11-19-2002	Choi	
	AY1*	US-2003/0125802-A1	07-03-2003	Callo et al.	
	AZ1*	US-6,258,115	07-10-2001	Dubrul	
	AA2*	US-2003/0167087-A1	09-04-2003	Piplani et al.	
	AB2*	US-6,197,046	03-06-2001	Piplani et al.	
	AC2*	US-5,611,812	03-18-1997	Skornia	
	AD2*	US-5,613,980	03-25-1997	Chauhan	
	AE2*	US-6,033,435	03-07-2000	Penn et al.	
	AF2*	US-2001/0020182-A1	09-06-2001	Klumb et al.	
	AG2*	US-6,238,430	05-29-2001	Klumb et al.	
	AH2*	US-5,609,627	03-11-1997	Goicoechea et al.	
	AI2*	US-5,669,924	09-23-1997	Shaknovich	
	AJ2*	US-6,322,587	11-27-2001	Quiachon et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO-2001/21095	03-29-2001	Advanced Stent Technologies Inc et al.		✓
	BB	WO-2003/020173	03-13-2003	Cocks Graeme et al.		✓
	BC	EP-0821921	02-04-1998	Fischell Robert et al.		✓
	BD	WO-2003/53507	07-03-2003	Sheiban Imad et al.		✓
	BE	WO-1996/34580	04-02-1998	Dibie Alain		✓

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	U.S. Provisional Patent Application No. 60/517,213.	
	CB	U.S. Provisional Patent Application No. 60/607,064.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Kevin Truong/	Date Considered	03/29/2010
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./